



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Secretary for Environmental
Protection

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June 13, 2011

VIA MAIL and E-Mail

Mr. Thomas F. Sullivan, Vice President
America Plaza Owners Association
600 West Broadway, Suite 920
San Diego, CA 92101

In reply refer to:
CIWQS Place 246018:WGhoram
WDID No. 9 000000469

Dear Mr. Sullivan:

SUBJECT: ONE AMERICA PLAZA PERMANENT GROUNDWATER DEWATERING DISCHARGES TO SAN DIEGO BAY, SAN DIEGO, CA

The California Regional Water Quality Control Board - San Diego Region (San Diego Water Board), has reviewed the following monitoring reports:

Frequency	Period	Report Date	Date Received
Monthly	January 2011- additional toxicity testing	February 10, 2011	February 22, 2011
Monthly	February 2011	February 28, 2011	March 10, 2011
Monthly	March 2011	April 27, 2011	April 29, 2011
Quarterly	January-March 2011	April 27, 2011	April 29, 2011

Based upon review of the information contained in the monitoring reports, the San Diego Water Board has the following comments:

In March 2011, the echinoderm growth portion of the chronic toxicity test exceeded the effluent limitation (limit) of 1.0 TUc with a value of 2.0 TUc. This exceedance is a violation of Order No. R9-2007-0034.

The California Water Code (CWC) includes provisions for a variety of enforcement actions for violations of the terms and conditions of Order No. R9-2007-0034, the CWC, and the Clean Water Act. Violations of Order No. R9-2007-0034 may subject America Plaza Owners Association to further enforcement including Cleanup and Abatement Orders, Cease and Desist Orders, Administrative Assessment of Liability, and/or termination of enrollment under Order No. R9-2007-0034. Liability could be administratively imposed to a maximum of \$10,000 per violation plus \$10 per gallon of waste discharged. After an initial violation of the terms and conditions of the Order is discovered, prevention of further violations is necessary to prevent further enforcement actions.

Mr. Thomas F. Sullivan
America Plaza Owners Assoc.
Monitoring Report Review

-2-

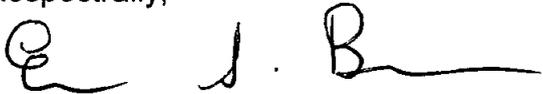
June 13, 2011
WDID 9 000000469

Please review the monitoring and reporting schedule of Order No. R9-2007-0034, and ensure that monitoring reports are received at the San Diego Water Board office by the due dates indicated in the Order.

The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

Please contact Ms. Whitney Ghoram by email at WGhoram@waterboards.ca.gov or by phone at (858) 467-2967 if you have any questions.

Respectfully,



ERIC S. BECKER, P.E.
Senior Water Resource Control Engineer
Southern Watershed Unit

Cc: Mr. Jay Lynch, Senior Geologist, Construction Testing & Engineering, Inc., 1441 Montiel Road, Suite 115, Escondido, CA 92026

CIWQS:
Enrollee Regulatory Measure ID: 213847
Party ID: 1503
Place ID: 246018
CIWQS Violation ID 901776
File: 14-0469.01 & 02
ESB:wjg
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California Environmental Protection Agency